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IFW

PATENT
ATTORNEY DOCKET NO.: 041465-5130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Tomo WATANABE *et al.*) Confirmation No.: 7293
Application No.: 10/015,895) Group Art Unit: 3661
Filed: December 17, 2001) Examiner: O. Hernandez
For SYSTEM FOR UPDATING NAVIATION)
INFORMATION AND APPARATUS FOR)
DISTRIBUTING UPDATED NAVIATION)
INFORMATION)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT AND REQUEST FOR RECONSIDERATION TRANSMITTAL FORM

1. Transmitted herewith is an Amendment and Request for Reconsideration responding to the Office Action dated May 4, 2004.
2. Additional papers enclosed:

- Drawings: Formal (Replacement Sheet) Informal

 Information Disclosure Statement
 Form PTO-1449, ____ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| Total Months <u>Requested</u> | Fee for <u>Extension</u> | [Fee for Small Entity] |
|---|-----------------------------|---------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$ 210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> four months | \$ 1,480.00 | \$ 740.00 |

Extension of time fee due with this request: \$ 110.00.

- An extension for ____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|----------------------------------|-------|-----------------------------|---------------|--------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 18 | minus | 20 | 0 | x \$18 each= | +\$ 0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 4 | minus | 4 | 0 | x \$86 each= | +\$ 0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$290.00 | +\$ 0.00 |
| SUB-TOTAL = | | | | | | \$ 0.00 |
| Reduction by ½ for filing by a small entity | | | | | | -\$ 0.00 |
| TOTAL FEE = | | | | | | \$ 0.00 |

6. Fee Payment

- No fee is to be paid at this time.
- The Commissioner is hereby authorized to charge **\$110.00** for the one-month extension of time fee to Deposit Account No. 50-0310.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated August 23, 2004 By: Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

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AMENDMENT AND
REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111

In response to the Non-Final Office Action dated May 4, 2004, the period of response to which extends through September 4, 2004, with the payment of a one-month extension of time fee, Applicants amend the above-identified application as follows:

08/25/2004 EABUBAK1 00000006 500310 10015895

01 FC:1251 110.00 DA